

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:	Case No. 18-10514-AIH
WILSON LAND PROPERTIES, LLC,	Chapter 7
Debtor.	Judge Arthur I. Harris

**RESPONSE OF KARI B. CONIGLIO, CHAPTER 7 TRUSTEE FOR THE
BANKRUPTCY ESTATE OF RICHARD M. OSBORNE, TO THE OBJECTION
OF 11520 MONARCH LLC TO JOINT MOTION OF TRUSTEE AND
CITIZENS BANK, N.A. TO DISTRIBUTE SALE PROCEEDS**

Kari B. Coniglio (the “Osborne Trustee”), the chapter 7 trustee for the bankruptcy estate of Richard M. Osborne, Sr. (the “Osborne Debtor”), hereby respectfully responds to the Objection of 11520 Monarch LLC to Joint Motion of Trustee and Citizens Bank, N.A. to Distribute Sale Proceeds as follows:

1. The Osborne Trustee is the chapter 7 trustee for the bankruptcy estate of the Osborne Debtor.
2. According to the Osborne Debtor’s Schedule A/B, the Osborne Debtor holds 100% of the membership interests in 11520 Monarch LLC (“Monarch”). *See* Dkt. 29, at p. 73 (Schedules and Statements filed 1/17/18 identifying estate’s interests in Monarch); *see also* Amended Schedule A/B, Dkt. 912, at p. 74 (identifying estate’s interests in 100% of the membership interests of Monarch).
3. Upon information and belief, Monarch has no business operations or creditors. A review of the filed financing statements with the Ohio Secretary of State reflects no financing statements having been filed against Monarch.

4. Accordingly, while the Osborne Trustee does not oppose the Joint Motion filed by the Wilson Land Trustee and Citizens Bank, N.A., the Osborne Trustee asserts that to the extent any amounts are payable to Monarch such amounts shall be paid to the Osborne Trustee on account of the Osborne Debtor's membership interests in Monarch.

WHEREFORE, the Osborne Trustee requests that to the extent this Court determines that any amounts are payable to Monarch, that such amounts be paid to the Osborne Trustee for distribution in the Osborne Debtor's Chapter 7 estate, and that this Court enter any other or further relief in favor of the Osborne Trustee as is just and equitable.

Respectfully submitted,

Dated: January 8, 2021

VORYS, SATTER, SEYMOUR AND PEASE LLP

/s/ Marcel C. Duhamel

Marcel C. Duhamel (0062171)
200 Public Square, Suite 1400
Cleveland, OH 44114
(216) 479-6100
(216) 479-6060 (facsimile)
mcduhamel@vorys.com
*Counsel for the Chapter 7 Trustee for the Estate of
Richard M. Osborne*

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2021 a true and correct copy of the foregoing *Response of Kari B. Coniglio, Chapter 7 Trustee for the Bankruptcy Estate of Richard M. Osborne, to the Objection of 11520 Monarch LLC to Joint Motion of Trustee and Citizens Bank, N.A. to Distribute Sale Proceeds* was served via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Gregory P. Amend on behalf of Creditor First National Bank of Pennsylvania
gamend@bdblaw.com, grichards@bdblaw.com

Austin B. Barnes, III on behalf of Creditor Tax Ease Ohio, LLC
abarnes@sandhu-law.com, bk1notice@sandhu-law.com

Austin B. Barnes, III on behalf of Cross Defendant Tax Ease Ohio, LLC
abarnes@sandhu-law.com, bk1notice@sandhu-law.com

Austin B. Barnes, III on behalf of Defendant Tax Ease Ohio, LLC
abarnes@sandhu-law.com, bk1notice@sandhu-law.com

Robert D. Barr
barr-trustee@koehler.law, rdb@trusteesolutions.net

Robert D. Barr on behalf of Creditor Chicago Title Insurance Company
rbarr@koehler.law, syackly@koehler.law

Robert D. Barr on behalf of Plaintiff Sheldon Stein
rbarr@koehler.law, syackly@koehler.law

Robert D. Barr on behalf of Trustee Sheldon Stein
rbarr@koehler.law, syackly@koehler.law

Kari B. Coniglio on behalf of Creditor Chapter 7 Trustee for the Estate of Richard M. Osborne
kbconiglio@vorys.com, mdwalkuski@vorys.com; kbc@trustesolutions.net; jncash2@vorys.com

Douglas M. Eppler on behalf of Creditor Huron River Properties, Inc.
deppler@walterhav.com

Scott D. Fink on behalf of Creditor Eriebank, A Division of CNB Bank
ecfnndo@weltman.com

Glenn E. Forbes on behalf of Debtor Wilson Land Properties, LLC
bankruptcy@geflaw.net, gforbes@geflaw.net; r45233@notify.bestcase.com

Jeffrey M. Levinson on behalf of 11250 Monarch LLC.
jml@jml-legal.com

Jeffrey M. Levinson on behalf of Creditor Osair, Inc.
jml@jml-legal.com

Jeffrey M. Levinson on behalf of Cross-Claimant Osair, Inc.
jml@jml-legal.com

Jeffrey M. Levinson on behalf of Defendant Osair, Inc.
jml@jml-legal.com

Jeffrey M. Levinson on behalf of Interested Party Walton Hills Green Transport, LLC
jml@jml-legal.com

Matthew H. Matheney on behalf of Creditor First National Bank of Pennsylvania
mmatheney@porterwright.com, cipeskar@porterwright.com

Michael J. Moran on behalf of Interested Party Diane Osborne
mike@gibsonmoran.com, moranecf@gmail.com;r55982@notify.bestcase.com

Kelly Neal on behalf of Creditor The Huntington National Bank
kelly.neal@bipc.com, donna.curcio@bipc.com

Timothy P. Palmer on behalf of Creditor The Huntington National Bank
timothy.palmer@bipc.com, donna.curcio@bipc.com

Kirk W. Roessler on behalf of Creditor Huron River Properties, Inc.
kroessler@walterhav.com,
kballa@walterhav.com;slasalvia@walterhav.com;deppler@walterhav.com

Gary H. Rosenthal on behalf of Interested Party Capstone Enterprises, Inc.
garyrosenthal@earthlink.net

Michael J. Sikora, III on behalf of Creditor Chicago Title Insurance Company
msikora@sikoralaw.com, aarasmith@sikoralaw.com

Nathaniel R. Sinn on behalf of Creditor First National Bank of Pennsylvania
nsinn@porterwright.com, cipeskar@porterwright.com

Sheldon Stein
ssteindocs@gmail.com, sstein@ecf.axosfs.com;sheldon@steintrustee.com

Sheldon Stein on behalf of Trustee Sheldon Stein
ssteindocs@gmail.com, sstein@ecf.axosfs.com;sheldon@steintrustee.com

Andrew M. Tomko on behalf of Creditor Tax Ease Ohio, LLC
atomko@sandhu-law.com, bk1notice@sandhu-law.com

Michael S. Tucker on behalf of Creditor Citizens Bank, N.A.
mtucker@ulmer.com

Michael S. Tucker on behalf of Defendant Citizens Bank, N.A.
mtucker@ulmer.com

Phyllis A. Ulrich on behalf of Creditor The Huntington National Bank bankruptcy@carlisle-law.com, bankruptcy@carlisle-law.com

Elia O. Woyt on behalf of Creditor Chapter 7 Trustee for the Estate of Richard M. Osborne
eowoyt@vorys.com, eowoyt@vorys.com; mdwalkuski@vorys.com

Maria D. Giannirakis ust06 on behalf of U.S. Trustee United States Trustee
maria.d.giannirakis@usdoj.gov

/s/ Marcel C. Duhamel
Marcel C. Duhamel (0062171)

*Counsel for the Chapter 7 Trustee for the Estate of
Richard M. Osborne*